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| MHLA140037482023 | Presented on | : | 02.12.2023 |
|  | Registered on | : | 02.12.2023 |
| | Decided on | : | 20.03.2026 |
| | Duration | : | Y M D 02 03 18 |

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
AUSA, AT AUSA

(Presided over by Shubhangi H. Nalawade)

R.C.C. No. 696/2023
Exh. No. 53

State of Maharashtra

Through the Police Station Officer,

Prosecution

Killari Police Station,

Tq. Ausa, Dist. Latur

Versus

Accused

- 1. Nagesh Nilkanth Haralkar,**
Age:-23 Yrs., Occu:- Agriculturist,
 - 2. Minakshi @ Mina Nilkanth**
Haralkar ,
Age:-40Yrs.,Occu:-Household,
 - 3. Nilkanth Shesherao Haralkar,**
Age:-50 Yrs., Occu:- Agriculturist,
 - 4. Neha Nilkanth Haralkar,**
Age:- 19 Yrs., Occu:- Household,
- Accused No. 1 to 4 are the**
resident of Umre Ghavan,
Tq. & Dist. Osmanabad

Appearances

For Prosecution : A.P.P. S S. Waghmare.

Advocate for accused: Shri. S.G. Kamble

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| Date of Offence | Between 25.01.2022 to 31.10.2023 |
| Crime Register No. | 297/2023 |
| Date of FIR | 02.11.2023 |
| Date of Charge-sheet | 02.12.2023 |
| Date of Framing of Charges | 25.07.2025 |
| Date of Commencement of evidence | 16.03.2026 |
| Date on which judgment is reserved | ----- |
| Date of the Judgment | 20.03.2026 |
| Date of the Sentencing Order, if any | ---- |

| Rank of the Accused | Name of Accused | Date of Arrest | Date of Released on Bail | Offences charged with | Whether acquitted or convicted | Sentence Imposed | Period of Detention undergone during Trial for purpose of Sec.428, Cr.P.C. |
|----------------------------|------------------------|-----------------------|---------------------------------|------------------------------|---------------------------------------|-------------------------|---|
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| 1. | Nagesh Nilkanth Haralkar, | Notice u/s 41 (A) Cr.P.C | 20.08. 2024 | U/ S.498(A) , 323, 504, 506 r/w 34 of I.P.C. | Acquitted | ---- | --- |
| 2. | Minakshi @ Mina Nilkanth Haralkar , | Notice u/s 41 (A) Cr.P.C | 04.09. 2024 | U/ S.498(A) , 323, 504, 506 r/w 34 of I.P.C. | Acquitted | ---- | --- |
| 3. | Nilkanth Sheshera o Haralkar, | Notice u/s 41 (A) Cr.P.C | 04.09. 2024 | U/ S.498(A) , 323, 504, 506 r/w 34 of I.P.C. | Acquitted | ---- | --- |
| 4. | Neha Nilkanth Haralkar, | Notice u/s 41 (A) Cr.P.C | 04.09. 2024 | U/ S.498(A) , 323, 504, 506 r/w 34 of I.P.C. | Acquitted | ---- | --- |

LIST OF PROSECUTION WITNESSES

| Rank | Witnesses Name | Exh. No. | Nature Of Evidence |
|------|-----------------------|-------------|--------------------|
| 1. | Aarti Nagesh Haralkar | 49 | Informant |
| 2. | Ataram Gunwant Ghuge | 50 | Witness |

LIST OF PROSECUTION EXHIBITS:

| Sr No | Exhibit No | Description |
|-------|------------|----------------|
| 1 | P.-1/P.W.1 | Sign on F.I.R. |

JUDGMENT
(Delivered on 20th March, 2026)

Accused No. 1 to 4 have been prosecuted for the offence punishable under Section U/s.498(A), 323, 504, 506 r/w 34 of the Indian Penal Code.

Brief facts of the prosecution's case are as under:

2) It is the case of informant that accused No. 1 is her husband whereas accused No. 2 and 3 are her in laws. Accused No. 4 is the sister in law. She further contended that she and accused No. 1 got married on 25.07.2020 at Umareghavan Tq. & Dist. Osmanabad. However, accused persons physically and mentally harassed her to bring Rs.5,00,000/- from her parents for the consturction of the house. She further contended that accused persons insulted for brining insufficient dowry and also kept her starving. They also gave the threat to kill her on 24.04.2023 at about 11.00 am accused beat as well as abused her and dragged her out of matrimonial house. The accused No.1 slapped her for not bringing money and threatened to kill her. Hence, she lodged the complaint against accused. on the basis of report lodged by the informant Crime No. 297/2023 came to be registered at Killari police station against the accused persons for the offences punishable under 498(A), 323, 504, 506 r/w 34 of the Indian Penal Code.

3) The investigation officer investigated the offence by recording the statements of witnesses, drawing the spot panchnama. After finding sufficient evidence against the accused, he filed a chargesheet against the accused with respect offense punishable under sections 498(A), 323, 504, 506 r/w 34 of the Indian Penal Code.

4) The charge was framed against the accused for an offense punishable under sections 498(A), 323, 504, 506 r/w 34 of the Indian Penal Code vide Exh No.30. The charge was read over and explained to the accused in the vernacular. They pleaded not guilty and claimed to be tried.

5) The prosecution has examined informant (PW-1) at Exh No.49 and witness namely Atmaram as PW-2 at Exh.50. The informant and accused vide purshis at the Exhibit No.48 informed the Court that they have settled their dispute out of the Court and accordingly, the informant does not want to proceed with the case.

6) I have heard Ld. APP of the State and learned advocate for the accused. No incriminating material is found against the present accused, hence, his statement under S.313 of the Code of Criminal Procedure is dispensed with.

7) Following are the points for determination along with my findings thereon for the reasons to follow:

| Sr. No. | Points | Findings |
|---------|--|----------|
| 1. | Does the prosecution prove that after the six month of marriage, accused No. 1 to 4 in furtherance of their common intention subjected | No |

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| | the informant to physical and mental cruelty and thereby committed an offence punishable under S.498-A read with Section 34 of the Indian Penal Code ? | |
| 2. | Does the prosecution prove that on the above mentioned date, time and place, accused in furtherance of their common intention voluntarily caused hurt to the informant by and thereby committed an offence punishable under Section 323 read with Section 34 of I. P.C. ? | No |
| 3. | Does the prosecution prove that on the above date, place and time, accused in furtherance of their common intention voluntarily caused intentionally insulted the informant by using abusive words and thereby gave provocation to him intending or knowing it to be likely that such provocation would cause her to break the public peace and thereby committed an offence punishable under section 504 read with Section 34 of the Indian Penal Code? | No |
| 4. | Does the prosecution prove that on the above date, place and time, accused were in furtherance of their common intention voluntarily committed criminal intimidation by threatening the informant to cause death with an intention to cause alarm to her and thereby committed an offence punishable under section 506 read with Section 34 of the Indian Penal Code? | No |
| 5. | What order? | Accused No. 1 to 4 are |

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| | | acquitted. |
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REASONS

As to point No.1 to 4:-

8) The witnesses examined by the prosecution are informant (PW-1) at Exh. No.49 and her father namely Aatmaram as (PW-2) at Exh. 50. PW-1 deposed that accused No. 1 is her husband, accused No. 2 and 3 are her in laws and accused No. 4 is sister in law. She got married with accused No. 1 on 25.07.2021 at Umare Ghavan Tq. & Dist. Osmanabad. After the marriage she went to her matrimonial house i.e. Umare Ghavan. However, she specifically denied that accused demanded Rs. 5,00,000/- for construction of the house. She further denied that accused persons beat her and threatend to kill her. She specifically denied the contents of the F.I.R.

9) Atamaram (PW-2) who is the father of informant at Exh. 50 deposed in the same line of informant. So as informant and PW-2 did not support the prosecution case. The prosecution did not examine any further witnesses. During the cross-examination, PW-1 and PW-2 stated that they had settled a dispute outside of the Court with accused. Therefore, informant does not have any complaint against accused. Hence, she does not want to proceed with the case.

10) On the perusal of the purshis at Exh No.48, it appears that the accused and informant have settled their dispute out of Court to keep their relationship cordial. In this situation, the charge levelled against the accused persons are not proved. Therefore, the accused deserves to be acquitted for offense

punishable under sections 498(A), 323, 504, 506 r/w 34 of the Indian Penal Code. Hence, I answer point No.1 to 4 in negative and in order to answer point No.5, I pass the following order:

ORDER

- 1) Accused No.1 **Nagesh Nilkanth Haralkar**, 2. **Minakshi @ Mina Nilkanth Haralkar**, 3. **Nilkanth Shesherao Haralkar**, 4. **Neha Nilkanth Haralkar**, are acquitted for offence punishable under Section 498(A), 323, 504, 506 r/w 34 of the Indian Penal Code vide section 248(1) of Code of Criminal Procedure.
- 2) Accused No. 1 to 4 are directed to furnish fresh P.B. and S.B. of Rs.15,000/, in each in the view of Section 437-A of Cr.P.C. in order to secure their presence in case of appeal is preferred against them.

[Dictated and pronounced in the open Court.]

Place:-Ausa.
Date:-20.03.2026

(Shubhangi H. Nalawade)
Judicial Magistrate First Class,
Ausa.